

REMARKS

Claims 1-11 are pending.

Claims 1-11 were rejected.

Claims 9-11 are cancelled herein.

Claims 1-8 are amended herein.

Claims 12-23 are new. No new matter is added.

Spelling Errors

The Examiner noted spelling errors in claims 2, 7, and 8. Claims 2, 7 and 8 are amended to correct the spelling errors, where applicable.

Claim Rejections - 35 U.S.C. § 112

The Examiner rejected claims 2 and 3 under 35 U.S.C. § 112, second paragraph, on the basis of being indefinite, and on 35 U.S.C. § 112, first paragraph, on the basis of failing to comply with the written description requirement. The Examiner rejected claims 5 and 7 for formal matters.

Claims 2, 3, 5 and 7 are amended for grammatical purposes or to further clarify the claim language in order to expedite prosecution, and without prejudice with regards to pursuing the claims as previously presented or in other forms in a continuation or other application.

Claim Rejections - 35 U.S.C. § 102

The Examiner rejected claims 1, 2, 4 and 6-10 under 35 U.S.C. § 102(b) over Tanaka (U.S. Patent 3,861,613).

Without admitting the propriety of the rejection, claims 1, 2, 4 and 6-8 are amended to expedite prosecution. For example, amended claim 1 recites a method comprising:

moving a first mirror to produce a change in magnification, wherein a distance from the first mirror to a second mirror varies with a position of the first mirror; and

scanning an original with a light to obtain an image data, wherein the light is reflected from the first mirror to the second mirror along a first optical path, and wherein the light is further reflected along a second optical path comprising a fixed distance between the second mirror and a lens.

Tanaka is directed to an electrophotographic copier including a drive mechanism for travelling a photosensitive element back and forth for a copy operation (column 1 lines 30-32). An exposure system 2 of Tanaka includes four mirrors M1-M4 arranged to reflect light from the surface of a document to the photosensitive element (column 3 lines 1-25).

Whereas Tanaka describes moving at least some of the mirrors M1-M4, this movement is not being performed to produce a change in magnification. The word magnification is not mentioned in Tanaka. Rather, the mirrors are moved so that a light path from the document surface to the image-forming lens 3 is maintained at a constant length during the copy operation (column 3 lines 32-41). Furthermore, it is not clear how a change in magnification would be accomplished in Tanaka, since the light path is maintained at a constant length. Applicant respectfully submits that Tanaka fails to disclose a change in magnification or how a change in magnification would be accomplished.

Amended claim 2 recites the method according to claim 1 wherein a total track length comprised of the first and second optical paths varies linearly with the position of the first mirror, and wherein the total track length determines a magnification of the light. As previously mentioned, the light path of Tanaka is maintained at a constant length; it is not disclosed as varying, let alone varying linearly with the position of a first mirror. Accordingly, Takana fails to disclose the total track length recited by claim 2.

Amended claim 6 recites the method according to claim 1, further comprising: adjusting an angle of reflection of the second mirror coordinated to the movement of the first mirror in order to reflect the light to the lens. Tanaka, on the other hand, describes mirrors M1-M4 which reflect light either vertically or horizontally (figure 1), and accordingly have a fixed angle of reflection. Tanaka does not describe adjusting an angle of reflection of any of the mirrors, nor why it would be advantageous to do so.

In rejecting claim 8, the Examiner identified mirror M4 of Tanaka as allegedly disclosing the second mirror, wherein the distance of the second path is between the lens and the mirror (page 5 of the Office Action). Claim 8 is amended to recite, in part, a lens configured to transmit image light received from the second mirror to the sensor, wherein a second optical path between the second mirror and the lens comprises a fixed distance. The lens 3 of Tanaka is not configured to transmit image light received from the mirror M4, rather light is transmitted from

the lens 3 to the mirror M4. In addition, none of the optical paths between mirrors M1, M2, M3 is shown or described as comprising a fixed distance. To the contrary, all three mirrors M1, M2 and M3 are shown and described as moving in order to maintain a light path from the document to the lens 3 at a constant length (column 3 lines 31-40). Accordingly, Tanaka fails to disclose the second mirror as well as the second optical path, as recited by claim 8.

Claims 9 and 10 are cancelled herein without prejudice with regards to pursuing the claims as previously presented or in other forms in a continuation or other application. Accordingly, the rejection of claim 9 and 10 are moot. At least for the above mentioned reasons, withdrawal of the rejection of claims 1, 2, 4 and 6-8 is respectfully requested.

Claim Rejections - 35 U.S.C. § 103

The Examiner rejected claims 3 and 11 under 35 U.S.C. § 103(a) over Tanaka in view of Davidge (U.S. RE29,179).

Davidge describes a continuously operating transfer reproduction apparatus that reproduces multiple copies of the same master (Abstract). Compensating mirrors 73, 75 are moved to create a folded optical path in order to maintain a constant optical path during the scanning operation (column 5 lines 42-51).

Claim 3 depends on claim 1. Davidge does not refer to magnification, nor how the system it describes could be used to produce a desired magnification. As mentioned above, the optical path of Davidge is maintained constant. Accordingly, Davidge also fails to disclose moving a first mirror to produce a desired magnification, as recited by claim 1. Since Davidge fails to cure the deficiencies of Tanaka, as previously described, claim 3 is believed to be allowable as depending on claim 1.

Claim 3 is also believed to be allowable in view of the further novel features recited therein. Since Tanaka and Davidge fail to disclose moving a first mirror to produce a desired magnification, as recited by claim 1, one skilled in the art would further appreciate that both also fail to disclose modifying the image data by linear ratio to produce a modified image having the same size as the original, as recited by claim 3.

Claim 11 is cancelled herein, such that the rejection of claim 11 is moot. At least for the above reasons, withdrawal of the rejection of claim 3 is respectfully requested.

New Claims

New claims 12-23 are added for consideration. No new matter is added.

Any statements made by Examiner that are not addressed by Applicant do not necessarily constitute agreement by the Applicant. In some cases Applicant may have amended or argued the allowability of independent claims thereby obviating grounds for rejection of the dependent claims.

Conclusion

For the foregoing reasons, the Applicant requests reconsideration and allowance of claims 1-8 and 12-23. The Applicant encourages the Examiner to telephone the undersigned if it appears that an interview would be helpful in advancing the case.

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Respectfully submitted,

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